

# FISCAL NOTE

**Bill #:** HB0427

**Title:** Revise air quality laws

**Primary Sponsor:** Gutsche, G

**Status:** As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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## Fiscal Summary

	<b>FY 2004 Difference</b>	<b>FY 2005 Difference</b>
<b>Expenditures:</b>	\$0	\$0
<b>Revenue:</b>	\$0	\$0
<b>Net Impact on General Fund Balance:</b>	\$0	\$0

- |   |  |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact    | <input type="checkbox"/> Technical Concerns            |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached  | <input type="checkbox"/> Needs to be included in HB 2  |

## Fiscal Analysis

### ASSUMPTIONS:

1. HB 427 will require the Board of Environmental Review to adopt rules that contain a period of 30 days for public comment on draft air quality permits for applications that are subject to the federal air quality provisions of New Source Review or Title V of the Federal Clean Air Act; that are subject to the incinerator requirements contained in 75-2-215, MCA; or that require the preparation of an environmental impact statement. This additional time will allow for more opportunity for the public to comment but will not require additional staff time or resources to administer.
2. HB 427 will require the Department of Environmental Quality (DEQ) to make its decision on an air quality permit application that is subject to the federal air quality provisions of New Source Review or Title V of the Federal Clean Air Act or that is subject to 75-2-215, MCA, within 75 days after its receipt of a filed application. This provision increases the time the DEQ currently has to issue its decision on an application by 15 days to allow for the 30 days of public comment described above. This additional time will not require additional staff time or resources to administer.
3. HB 427 clarifies the requirement that a single environmental review document must be prepared by the DEQ, according to the Montana Environmental Policy Act, when an applicant for an air quality permit also is required to obtain a license pursuant to 75-10-221, MCA, or a permit pursuant to 75-10-406, MCA. The DEQ views this language as a clarification of the existing statute that will not result in the need for additional staff time or resources to administer.
4. Base on the assumptions stated above, there will be no fiscal impact during the 2005 biennium.

**Fiscal Note Request HB0427, As Introduced**  
(continued)